

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

Charles Anderson,)	
)	
Plaintiff,)	C.A. No. 9:19-2086-HMH-MHC
)	
vs.)	OPINION & ORDER
)	
Quality Correctional Health Care,)	
Lt. Sweat, Sgt. Riddick, Ofc. Miller,)	
)	
Defendants.)	

This matter is before the court with the Report and Recommendation of United States Magistrate Judge Molly H. Cherry, made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 of the District of South Carolina.¹ Charles Anderson (“Plaintiff”), a state prisoner proceeding pro se, filed this action pursuant to 42 U.S.C. § 1983, alleging violations of his civil rights while a pretrial detainee at Sumter Lee Regional County Detention Center. Defendants Lt. Sweat, Sgt. Reddick², and Ofc. Miller (“Officer Defendants”) filed a motion for summary judgment. Additionally, Defendant Quality Correctional Health Care (“QCHC”) filed a motion for summary judgment. In her Report and Recommendation, Magistrate Judge Cherry recommends granting Defendants’ motions for summary judgment. (R&R, generally, ECF No. 81.)

¹ The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

² Sgt. Reddick’s name is misspelled as “Riddick” in the complaint. (R&R 2, n.2, ECF No. 81.)

Plaintiff filed objections to the Report and Recommendation. Objections to the Report and Recommendation must be specific. Failure to file specific objections constitutes a waiver of a party's right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. See United States v. Schronce, 727 F.2d 91, 94 & n.4 (4th Cir. 1984). In the absence of specific objections to the Report and Recommendation of the magistrate judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

Upon review, the court finds that Plaintiff's objections are non-specific, unrelated to the dispositive portions of the magistrate judge's Report and Recommendation, or merely restate his claims. Accordingly, after review, the court finds that Plaintiff's objections are without merit. Therefore, after a thorough review of the magistrate judge's Report and the record in this case, the court adopts Magistrate Judge Cherry's Report and Recommendation and incorporates it herein by reference.

It is therefore

ORDERED that Officer Defendants' motion for summary judgment, docket number 44, is granted. It is further

ORDERED that QCHC's motion for summary judgment, docket number 69, is granted. It is further

ORDERED that Plaintiff's "motion for trial," docket number 84, is denied as moot.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
January 27, 2021

NOTICE OF RIGHT TO APPEAL

The Plaintiff is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.